

643 There is little doubt that village headmen did  
 622 wax in power and finally break away to form the  
 578 nucleus of a chiefdom of their own. The chief  
 that a headman had left could do little to regain  
 his lost subject and he had to rule not by tyranny  
 but by tact. Duff MacDonald, for instance,  
 records: "When a quarrel arises between the  
 chief of the country and an important headman  
 the latter may rebel and found a new kingdom,  
 thus depriving the old chief perhaps of one-  
 third of the villages in his dominion".<sup>1</sup> Nkanda  
 is an example. "Nkanda of Cherasulo was at  
 first a headmen of Kumpama's but rebelled  
 and lives on the Southern side of that mountain  
 an easy day's march from Blantyre."<sup>2</sup>

643 The leader was known, and is still known  
 to-day, by the term *aryene cilambo*. This might be  
 translated as "owner of the country" but the  
 term "owner" in this context would be a mis-  
 translation. I prefer to translate this phrase as:  
 "The person with whom a certain area is identi-  
 fied".<sup>3</sup> Hence when a man says, as the Yao  
 do: "I come from Kawinga's", he does not mean  
 that the land is owned by Kawinga, but that  
 Kawinga is the most important man in that area.

• 645 Among the village headmen in the area under a  
 631 particular leader there were a number of trusted  
 692 village headmen called *nduna*, which term I  
 622 have translated as "councillors". These councillors  
 had special duties to perform. They were in  
 the nature of governors in outer areas and each  
 had a number of other villages under his jurisdic-  
 tion. By this I mean that these villages were sup-  
 posed to take certain cases for trial to him and to  
 approach the leader through him. The council-  
 lers were supposed to visit the village of the chief  
 each morning and to report anything untoward.  
 The councillors also had the important duty of  
 advising the chief, particularly in connexion  
 with raiding of neighbouring tribes. Councillors  
 also arbitrated in the domestic affairs of the chief  
 and in the all too frequent conflicts between the  
 Chief, his sister's sons and his younger  
 brothers.

648 District Commissioner on specific points. These points refer to some particular work of the Administration of which the District Commissioner is a representative. A villager may make enquiries about army gratuities, about tax exemption, about the administration of estates of relatives who have died in Southern Rhodesia, etc. In general we may say that the interaction between the people on one hand and the Administration on the other takes place largely in terms of an overlapping field of interest, which the tribesmen see as a part of the White system of values but to which they do not fully subscribe.

## 2. *The Chiefs and their Bureaucracies*

643 The chiefs and their bureaucracies stand in a peculiar position in the political structure.  
 645 They are, as it were, the bridge between the indigenous political machinery activated by a system of indigenous values, subscribed to by chief and commoner alike, and the White Administration on the other hand. To the people, the chief and his bureaucracy represent the White Administration to them since it is through this set of institutions that the regulations are administered. The N.A.'s bureaucracy collects the poll taxes,<sup>1</sup> dogs, guns, canoes, etc., supervises the construction of latrines, etc., and the chief punishes the people for breaches of regulations (not tax defaulters) which to the tribesmen are part of the White Administration. At the same time the chief is their representative to the District Commissioner and when the District Commissioner speaks to the chief he is in effect speaking to the people. From the point of view of the Administration he is in exactly the same interjacent position: he is both their representative to the people and the people's representative to the Administration. Accordingly the oblique line in the diagram passes through the rectangles marked 'chief' and N.A.'s Bureaucracy'.

The chief has lost many of the attributes of status that he had in the early days. No longer

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<sup>1</sup> Actually the poll taxes are collected by a Tax clerk who is stationed at the N. A. court-house but is remunerated from the Central Treasury. He is therefore really a member of the African Civil Service but since he lives at the chief's court and interacts with the chief, is looked upon by the villagers as part of the N.A.'s bureaucracy, I include him in this paper as part of the chief's staff.

643 does he monopolize the trade to the coast. To-  
day the goods are brought in by Indian traders  
• 645 and are bought for cash by the African tobacco  
648 growers and the returned labour migrants.  
He can no longer use his slaves to increase his  
wealth by capturing yet other slaves. Nowadays  
his salary is insufficient for his own requirements  
and he can no longer make the gifts that he used  
to, to the village headmen and councillors.  
Councillors (i.e. the *nduna* not necessarily offi-  
cially recognized by the Administration) complain  
that though they are not paid they nevertheless  
have to do much of the work that the District  
Commissioner expects the chief to do. The  
chief himself is generally too poor to pay them  
though some do in fact privately remunerate  
certain of their unrecognized councillors. The  
chief is still expected to give a burial cloth  
when an important headman dies, and to make  
a gift to a headman when he succeeds to a name,  
but his tribute of food and ivory has ceased.

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651 The people look upon the taxes they pay to the  
Administration and the licences that are paid  
to the chief's court as substitute for the chief's  
tribute. One informant explained that no longer  
is it necessary to send a pot of beer to the chief  
when beer is brewed, because nowadays a sixpenny  
licence must be taken out from the court for each  
brew for sale. He looked upon the licence (de-  
signed by the Administration as a measure to  
counter excessive brewing and paid into the Native  
Treasury and not to the chief) as a modern sub-  
stitute.

643 Nevertheless, it appears that the chiefs do  
manage to live at a higher standard than most  
of their subjects. They usually appear to be dressed  
more finely and seem to have larger wardrobes.  
Most have brick dwelling houses and rather more  
furniture than the average commoner. Nearly  
all have shot-guns and some have rifles. This  
is largely possible because the salaries are regularly  
paid even if they are low, and because many of  
the former obligations have fallen away. No longer  
do the chiefs entertain on so lavish a scale.

643 The chiefs are also able more successfully to press their claims to certain gifts from visiting Europeans, particularly in articles which are difficult for Africans to obtain—for example, cartridges. One chief uses his rifle to shoot game and the meat is peddled round the villages by one of his servants. Some are also able to make use of the services of remand prisoners and other villagers in their gardens, thus growing more food and sometimes more of cash crops as tobacco. Other chiefs are able to use their salaries as capital and employ labourers to cultivate tobacco and other cash crops. A few returned labour migrants make small gift payments to the chief.

643 The main duty of the chief is the arbitration in  
692 disputes. The Native Courts Ordinance established two classes of native courts, called respectively A and B courts, which differ in their powers. Under the same Ordinance court assessors who are remunerated from Native Treasury funds, were appointed.

693 The Native Authority's bureaucracy is made  
647 up of a large assortment of functionaries and officials, including in the largest court, (Kawinga's), 6 court assessors, 1 court clerk, 1 assistant court clerk, 1 community worker, 1 forest guard, 1 agricultural demonstrator, 1 sanitary inspector, 9 court messengers, 2 caretakers, 4 garetta men, 1 market clerk, 1 market sweeper. Other Native Authorities also have well inspectors. These people are remunerated from the Native Treasury and the most highly paid is usually the court clerk. I do not intend to deal in detail with the duties of each but I shall deal with the more important of them and make some general remarks about their position in the structure.

693 The court assessors are supposed to assist in  
645 arbitrating cases. Under the old system there were both councillors, *aduna*, and court assessors, *mapungu*, (see p. 144). There is not sufficient provision for the remuneration of both councillors and court assessors in the modern system and there has been a general alteration in their functions. Some of the old councillors are no longer

693 paid by the chief but still advise him, and retain  
 645 much of the prestige due to their rank, which is  
 inherited. Others have been incorporated as court  
 assessors though they may not actually take part  
 in the duties. Some now combine both sets  
 of duties and function both as councillors and  
 court assessors. Some of the duties of both  
 sets of officials, however, have been taken over  
 by the court clerk and other court functionaries.  
 Although the position of court assessor was part  
 of the old tribal structure, modern court assessors  
 see themselves as occupying a position in a struc-  
 ture largely of White fashioning. I once heard a  
 court assessor when conducting an enquiry into  
 a case of adultery, cut short the prolixity of a  
 witness saying: "None of these long stories.  
 We are conducting this case according to the  
 custom of the Whites."

More illuminating still is the position that the  
 court clerks occupy in the modern structure.  
 [212] They are differentiated from the vast majority of  
 the population because they are literate. All of  
 them have been educated, usually in a mission  
 school. A high proportion of them are Nguru  
 [563] because more Nguru are Christian (hence edu-  
 cated) than Yao (see p. 151). Because he can read  
 and write, the chief court clerk is the medium  
 through which the chief expresses himself in  
 writing and the medium through which he gets  
 written information from the Administrators  
 and others. The court clerk is therefore in a  
 unique position of knowing all the business that  
 comes into the chief's hand by letter. He, of  
 course, must also write the replies so that he has  
 a very good knowledge of what is going on in  
 the territory. In addition, because of his education  
 and knowledge of the ways of the White people  
 the court clerk often makes a better councillor  
 than the uneducated and naive traditional coun-  
 cillor does. Therefore in certain matters the court  
 clerk, rather than the councillor, is the chief's  
 most important adviser.

693 The various other officials have different  
 647 functions to perform, frequently of a semi-  
 technical nature. There are sanitary inspectors,  
 well inspectors, etc. The court sergeant who is  
 present at the cases now performs many of the